

To Heritage List 25 Bushlands Avenue, Gordon

Proposal Title : To Heritage List 25 Bushlands Avenue, Gordon

Proposal Summary : To list the building known as "Birralelee", located at 25 Bushlands Avenue, Gordon, as a local heritage item.

PP Number : PP_2016_KURIN_002_00

Dop File No : 16/03129

Proposal Details

Date Planning Proposal Received : 09-Feb-2016

LGA covered : Ku-Ring-Gai

Region : Metro(Parra)

RPA : Ku-ring-gai Council

State Electorate : KU-RING-GAI

Section of the Act : 55 - Planning Proposal

LEP Type : Housekeeping

Location Details

Street : 25 Bushlands Avenue

Suburb : Gordon

City :

Postcode : 2072

Land Parcel : Lot 3 DP578395

DoP Planning Officer Contact Details

Contact Name : Mark Dennett

Contact Number : 0298601534

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RPA Contact Details

Contact Name : Alexandra Plumb

Contact Number : 0294240795

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DoP Project Manager Contact Details

Contact Name : Terry Doran

Contact Number : 0298601579

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Land Release Data

Growth Centre : N/A

Release Area Name : N/A

Regional / Sub Regional Strategy : N/A

Consistent with Strategy : N/A

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : Consultation with the NSW Office of Environment and Heritage - Heritage Division has taken place. A OEH response letter dated 6 February 2016 is included in the proposal. The letter supports the local heritage listing and states no further information/studies are needed to be completed for the listing.

The property is zoned R2 Low Density Residential and located in a residential neighbourhood.

External Supporting Notes : The proposed item to be listed is subject to an Interim Heritage Order that came into effect on 14 August 2015. The proposal includes a letter of support from NSW Office of Environment and Heritage - Heritage Division, as well as a comprehensive heritage assessment of 25 Bushlands Ave - the item proposed to be locally heritage listed.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The objective of the proposal is to list the building known as "Birralelee", located at 25 Bushlands Avenue, Gordon (Lot 3 DP 578395) as an item of local heritage significance in the Ku-ring-gai Local Environmental Plan 2015.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : Amend Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 to include 25 Bushlands Avenue as an item of local significance.

Amend Ku-ring-gai Local Environmental Plan 2015 - Heritage Map Sheet 14 (HER_014) by highlighting and labelling the property as a general heritage item.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.3 Home Occupations

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SREP (Sydney Harbour Catchment) 2005

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997)

SEPP (Affordable Rental Housing) 2009

e) List any other
matters that need to
be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

The planning proposal is consistent with all relevant s117 Directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Adequate maps are included in Part 4 'Mapping' of the planning proposal.

Prior to finalisation of the proposal, a heritage item label number will required to be displayed on the heritage map and Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A 14 day community consultation period is recommended.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **March 2015**

Comments in relation
to Principal LEP :

The proposal seeks to amend Ku-ring-gai Local Environmental Plan 2015.

Assessment Criteria

Need for planning
proposal :

The property has been assessed as satisfying the NSW Heritage Council's Criteria for local heritage significance. The proposal is the best means of protecting the item.

The proposed listing is supported by a comprehensive heritage assessment and a letter of support from OEH Heritage Division.

Consistency with
strategic planning
framework :

The proposal is consistent with the Metropolitan Strategy, 'A Plan for Growing Sydney', and Ku-ring-gai Council's Community Strategy Plan 2030 in that it will promote heritage and the re-use of heritage items.

Environmental social
economic impacts :

ENVIRONMENTAL IMPACT

There are no environmental effects anticipated as a result of the heritage listing.

SOCIAL IMPACTS

The proposal will provide protection for a local heritage item adding to the local cultural heritage.

ECONOMIC IMPACTS

The reason for the listing originated from a pre-lodgement development application that proposed the demolition of the existing structures and redevelopment of the land. An interim heritage order was placed on the subject site in August 2015 to halt any demolition/redevelopment of the site.

The heritage listing will ensure additional heads of consideration apply to proposed development of the site, enabling appropriate consideration by Council.

Assessment Process

Proposal type :

Consistent

Community Consultation
Period :

14 Days

Timeframe to make
LEP :

9 months

Delegation :

RPA

Public Authority
Consultation - 56(2)(d)

Is Public Hearing by the PAC required?

No

(2)(a) Should the matter proceed ?

Yes

If no, provide reasons :

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter - Request for Gateway Determination for 25 Bushlands Avenue Gordon.pdf	Proposal Covering Letter	Yes
Planning Proposal - Heritage Listing of 25 Bushlands Ave Gordon.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
 3.1 Residential Zones
 3.3 Home Occupations
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **GATEWAY DETERMINATION**
 * The proposal is a minor matter of local planning significance.
 * The recommendation is consistent with the planning proposal submitted by Council.
 * The Office of Environment and Heritage (Heritage Division) has advised the proposal is based upon a comprehensive heritage assessment that sufficiently demonstrates how the property meets the significance criteria for local heritage listing. Further, it is advised that the Heritage Council therefore supports the inclusion of the property as a local heritage item.
 As a consequence, it is considered appropriate that the Gateway determination function be exercised by the Director, Sydney Region West.

AGENCY CONSULTATION
 Similarly, in view of the letter of support from the Office of Environment and Heritage (Heritage Division) and the circumstances, no agency consultation is recommended.

DELEGATION OF PLAN MAKING FUNCTION
 Council has requested delegation of the plan making function in relation to this planning proposal. Authorisation for Council to exercise the plan making function is supported and recommended.

SECTION 117 DIRECTIONS
 The proposal is consistent with all relevant Section 117 Directions.

GATEWAY RECOMMENDATION AND CONDITIONS
 The proposal should proceed subject to the conditions shown below:

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1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 14 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A guide to preparing local environmental plans (Planning and Infrastructure, 2013)'.

2. No public hearing is required to be held into the matter under section 56(2) (e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example in response to a submission or if reclassifying land).

3. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : The heritage listing of 25 Bushlands Avenue, Gordon, will assist in protecting and conserving the heritage qualities of the building and its curtilage.

Signature:



Printed Name:

T DORAN

Date:

2/3/16